

RemarksRejections Under 35 U.S.C. § 102(b)

The Examiner has rejected claims 27 and 57 under 35 U.S.C. § 102(b) as anticipated by United States patent number 5,595,445 issued to Bobry (hereinafter referred to as Bobry). The Applicants respectfully request careful consideration of the following explanations regarding the Examiner's rejections of claims under 35 U.S.C. § 102(b).

Rejections of Claim 27 Under 35 U.S.C. § 102(b)

The amended claim 27 includes the limitations of "a navigation sensor to optically detect relative movement between said scanning device and a surface in close proximity to said navigation sensor whereby said relative movement changes said display to displaying a second part of said scanned version of said image". (emphasis added) Support for the amendment to claim 27 can be found, at least, near page 6, lines 5-10 of the originally filed application. The Applicant respectfully submits that Bobry does not disclose subject matter upon which all these limitations of the amended claim 27 read.

For example, column 6, lines 9-39 of Bobry discloses:

The **position encoder 56 provides pulses** to the microprocessor 42 as the scan head 26 sweeps across the selected area. These pulses can be counted and timed and thus provide both position and velocity information about the scan head 26, and in particular the light sensitive elements 30 disposed on the head 26. The microprocessor 42 software utilizes the light sensitive element 30 position and velocity information to determine the exact relative position on the document being viewed by each element 30.

The encoder 56 is operably coupled to the rollers 20 that support the apparatus 10 against the document during a scanning sequence. It is important to note that the **encoder 56 will produce pulses caused by relative rotation between the scan head 26 and the rollers 20.** Therefore, position pulses are produced when the apparatus 10 is swept along the document, and also produced by pivoting motion of the apparatus 10, even if at the

time of pivoting the apparatus, 10 is sweeping slowly or even stationary. The encoder 56 will also detect backward movement of the apparatus 10. Thus, the encoder 56 output signals can be used for not only controlling scanning during a sweeping operation, but also to compensate for scan head deviations or changes caused by pivoting and other non-linear movements. The encoder 56 can be configured, for example, to produce a pulse for each incremental change in angular displacement of the rollers 20 relative to the scan head 26. By the convenient use of look-up tables, calculations or approximations, *the angular displacement of the rollers 20 can easily be converted to actual position data for each element 30. The encoder 56 produces position pulses from the moment that rotation of the rollers 20 occurs relative to the scan head 26.* (emphasis added)

Thus, the referenced section of Bobry does not appear to disclose subject matter upon which the limitations of claim 27 of "to optically detect relative movement between said scanning device and a surface" read. As the Applicant knows that the Examiner is certainly aware, MPEP 2131 requires that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference". Because the cited sections of Bobry do not disclose subject matter upon which every limitation of the amended claim 27 reads, a valid *prima facie* anticipation rejection of the amended claim 27 with respect to Bobry is not present for at least this reason. Accordingly, the Applicant respectfully requests withdrawal of the rejection of claim 27 under 35 U.S.C. § 102(b).

Rejection of Claim 57 Under 35 U.S.C. § 102(b)

The amended claim 57 includes limitations of "*optically detecting relative movement* between a scanning device and a surface in close proximity to said scanning device". (emphasis added) Support for the amendment to claim 57 can be found, at least, near page 6, lines 5-10 of the originally filed application. As explained in detail with respect to the rejection of claim 27 as anticipated by Bobry, the Applicant respectfully submits that the cited sections of Bobry do not disclose subject matter upon which these limitations of the amended claim 57 read. That is, the cited sections of Bobry do not appear to

disclose subject matter upon which the limitations of "optically detecting relative movement between a scanning device and a surface in close proximity to said scanning device" read. (emphasis added) Therefore, because the cited sections of Bobry do not disclose subject matter upon which every limitation of the amended claim 57 reads, a valid *prima facie* anticipation rejection of claim 57 with respect to Bobry is not present for at least this reason. Accordingly, the Applicant respectfully requests withdrawal of the rejection of claim 57 under 35 U.S.C. § 102(b).

Rejections Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 28-31 and 58-60 under 35 U.S.C. § 103(a) as obvious over Bobry in view of various combinations of United States patent numbers 6,137,479 issued to Olsen et al (hereinafter referred to as Olsen), United States patent number 5,757,394 issued to Anderson et al (hereinafter referred to as Anderson), and United States patent number 6,301,020 issued to Dow et al (hereinafter referred to as Dow). The Applicants respectfully request careful consideration of the following explanations regarding the Examiner's rejection of these claims under 35 U.S.C. § 103(a).

Rejections of Claims 28-31 Under 35 U.S.C. § 103(a)

Claims 28-31 are dependent upon claim the amended claim 27 and therefore incorporate all the limitations of the amended claim 27. Claims 28-31 are rejected in view of various combinations of Bobry with one of Olsen, Anderson, or Dow. The Applicants representative could not locate subject matter in any of these references upon which the limitations of claim 27 recited above read.

As the Applicant knows the Examiner is well aware, according to MPEP 2143, "the prior art reference (or references when combined) must teach or suggest all the claim limitations". For at least the reason that the references do not disclose all the limitations of claims 28-31, the Applicant respectfully submits that a valid *prima facie* obviousness rejection of these claims is not present.

Accordingly, the Applicant respectfully requests withdrawal of the rejections of claims 28-31 under 35 U.S.C. § 103(a).

Rejections of Claims 58-60 Under 35 U.S.C. § 103(a)

Claims 58-60 are dependent upon claim the amended claim 57 and therefore incorporate all the limitations of the amended claim 57. Claims 58-60 are rejected in view of various combinations Bobry with one of Anderson or Dow. The Applicants representative could not locate subject matter in any of these references upon which the limitations of claim 57 recited above read.

For at least the reason that the references do not disclose all the limitations of claims 58-60, the Applicant respectfully submits that a valid prima facie obviousness rejection of these claims is not present. Accordingly, the Applicant respectfully requests withdrawal of the rejections of claims 58-60 under 35 U.S.C. § 103(a).

Allowable Subject Matter

The Examiner has allowed claims 61-69.

Conclusion

The Applicants submit that the subject application is in a condition for allowance. Allowance is therefore respectfully requested.

Respectfully submitted,

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